



## **New Jersey Department of Children and Families Policy Manual**

Manual:	CP&P	Child Protection and Permanency	Effective Date: 3-07-1997
Volume:	II	Intake, Investigation and Response	
Chapter:	B	Intake	Revised Date: 2-19-2019
Subchapter:	1	Processing Specific Referrals	
Issuance:	1000	<b>Reports of Educational Neglect</b>	

### **Purpose:**

This issuance establishes policy and procedures related to reports of educational neglect.

### **Authority:**

- [N.J.S.A. 18A:38-25](#)
- [N.J.S.A. 18A:38-31](#)

### **Policy:**

#### **A) New Jersey Compulsory Education Law**

Under New Jersey's Compulsory Education Law, children between the ages of six (6) and sixteen must participate in:

- a public school program; or
- a private day or residential school program; or
- academic instruction elsewhere, including by the parent or legal guardian, that is equivalent to the instruction provided by the public school district.

See, [CP&P-II-C-5-500](#), Response to School Reports of Child Abuse or Neglect, regarding CP&P response to school reports of child abuse and neglect.

## **Procedures:**

### **1) Determine Reason for Referral(s)**

Reports alleging that a child between the ages of six (6) and sixteen is not attending school, or is attending irregularly, are screened to determine 1) if the reporter believes that the parent's actions or inactions are causing the child to miss school, and 2) if the local school system or board of education exhausted all its remedies, under State education law, administrative code, and local school district policies and procedures (the school's code of conduct) to engage the parent or caregiver and compel the child to attend school.

See, [CP&P-VII-A-1-400](#), Education for Homeless Children.

### **2) Responsibility of the Screener**

During the screening process, the screener shall contact the school (if not the reporter) to:

- Inquire about any temporary or chronic conditions of the child that would impact the child's attendance, and whether the school is providing home instruction, if applicable;
- Obtain what action steps the school took to address the child's absences; and
- Inquire if the parent or caregiver has provided notification that they intend to home school their child or arrange for equivalent education elsewhere (for example private education or residential program).

### **3) Responsibility of the School**

The local board of education is required to enforce the compulsory education law. The school shall do the following if a student is absent without an excuse:

- 1-4 days of unexcused absences: make a reasonable attempt to notify the student's parents of the unexcused absence prior to the start of the following school day; determine the cause of the unexcused absence; in consultation with the parent, identify needed action to address the student's absences; and make necessary report(s) to child welfare and/or

the police if there is suspicion of missing, exploited, abused or neglected child.

- 5-9 days of unexcused absences: in addition to the above requirements, evaluate the appropriateness of any action to resolve the unexcused absences; develop an action plan that specifies the interventions for supporting the student's return to school and regular attendance. This plan may include, but is not limited to, referral with the school's Intervention and Referral Services team, conducting testing, assessments or evaluations, an alternate education placement, or referral to a community-based support service.
- 10 or more days of unexcused absences: the child is considered truant. After exhausting the procedures outlined for unexcused absences between 1 and 9 days, the school may decide to file a complaint for noncompliance with compulsory education with the municipal court and/or a Juvenile Family Crisis complaint with Juvenile-Family Crisis Unit of the Superior Court-Family Division for truancy.

#### **4) Home Schooling**

Home schooling is not permitted for a child in CP&P resource care placement (see, [CP&P-VII-A-1-100](#), Educational Services, or a selected adoptive home placement, See, [CP&P-IV-C-6-100](#), Placement of Children in Adoption Homes, and [CP&P-IV-C-7-100](#), Support Services).

Parents who choose to home school children must provide instruction that is academically equivalent to the instruction that is provided in the local public school. The law does not require or authorize the local board of education to review and approve the curriculum or program of a child educated elsewhere than at school. When a parent/guardian educates a child elsewhere than at school, they are responsible for the educational outcomes of the child. The local board of education is not required or authorized to monitor the outcomes of the child.

#### **Policy History:**

- 3-7-1997
- 7-26-2004

